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Paper No. 13

Applicant	Bodo Junge, et. al.	MAILED
Ser. No.	936,280	JAN 7 1980
Filed	08/23/78	PATENT & TRADEMARK OFFICE
For New 3,4,5-TRIHYDROXYRIPIDINE COMPOUNDS, THEIR PRODUCTION AND THEIR MEDICINAL USE		

The case referred to above has been forwarded to the Board of Patent Interferences because it is adjudged to interfere with other cases hereafter specified. Attention is directed to the fact that this interference is declared under the Rules of Practice as amended effective July 1, 1965, and as further amended effective to the date of this notice. The interference is identified as
No. 100397

By direction of the Commissioner of Patents and Trademarks and as required by 35 U.S.C. 135(c), notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference."

☐ In view of the accompanying order to show cause entered in this interference under Rule 228 no schedule of times is set. Rule 207(e).

☒ The schedule of times under Rule 207(b) is set as follows:

- (1) The preliminary statement (Rules 215 et seq.) must be filed and opposing parties notified of its filing by

MAR 7 1980

(It should be filed in a sealed envelope bearing the name of the party filing it and the number of the interference.)

- (2) A copy of the preliminary statement and attachments must be served on each opposing party from whom a notice of filing a preliminary statement has been received by

24 MAR 1980

- (3) Motions under Rule 231 must be filed by

FEB 22 1980

If you expect to obtain the benefit of any application filed in this or any other country, including any intermediate applications, you must file a motion under Rule 231(a)(4) unless such application is specified in this notice. Rule 224.

The interference involves your application identified above and:

Pertinent information regarding the parties involved in this interference is as follows:

Junior Party

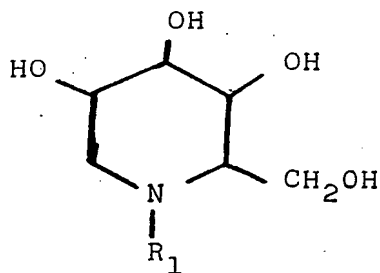
Applicants: Bodo Junge, Hans Peter Krause, Lutz Muller, Walter Puls
Addresses: Bayer AG, Wuppertal-1, Germany 5600, respectively
Serial No.: 936,280 filed 08/23/78
For: NEW 3,4,5-TRIHYDROXYPIPERIDINE COMPOUNDS, THEIR PRODUCTION AND THEIR MEDICINAL USE
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Serial No.: 033,839 filed 04/27/79
For: MORANOLINE DERIVATIVES
Assignee: Nippon Shinyaku Co., Ltd., Kyoto, Japan
Accorded benefit of: Japan Application Nos. 5353603 filed 05/03/78
5382606 filed 07/06/78
53120661 filed 09/29/78
Attorneys of Record: Albert L. Jacobs, Mark H. Sparrow, Albert L. Jacobs, Jr., Bruce M. Collins, Jesse D. Reingold
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Count 1

A compound of the formula:



wherein R₁ is C₁ - C₃₀ alkyl substituted by phenyl, said phenyl being unsubstituted or substituted by halogen, lower alkyl, lower alkoxy, hydroxyl, trihalomethyl, amino, C₁ - C₄ alkylamino, diloweralkylamino, cyano, carboxyl, or carboloweralkoxy or a pharmaceutically acceptable nontoxic acid addition salt thereof.

The relation of the counts of the interference to the claims of the respective parties is as follows:

<u>Counts</u>	<u>Junge et. al.</u>	<u>Matsumura et al</u>
1	51(p)	41(p)

After termination of this interference, this application will be held subject to further examination under Rule 1.266. Claims 5-10, 14, 18, 24-32, 34-38, 42-43, 47 will be held subject to rejection as unpatentable over the issue in the event of an award of priority adverse to applicant.